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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/496,549	02/02/2000	GEORGE KING	96P7613US03	5563

7590 11/30/2001

Siemens Corporation  
Intellectual Property Department  
186 Wood Avenue South  
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EXAMINER

QURESHI, AFSAR M

ART UNIT PAPER NUMBER

2662

DATE MAILED: 11/30/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

CS

# Office Action Summary

Application No.

09/496,549

Applicant(s)

KING, GEORGE

Examiner

Afsar M Qureshi

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 32-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 32-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s): \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

***Response to Amendment***

1. Examiner acknowledges the receipt of "Request for Reconsideration" dated October 12, 2001. No amendments to the claims were made.
2. After a careful reexamination of the cited art, Examiner maintains the following rejection for the reasons given in "Response to Arguments" paragraph 5.
3. The text of those section of the Title 35, U.S. Code not included in this section can be found in a prior action.
4. Claims 32-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dale et al. (U.S. 5,621,731) in view of Cofer (U.S. 4,446,337).

**Claims 32 and 38**, Dale discloses a **bypass** circuit which connects the analog port 30~~0~~ (**subscriber line module**) directly to an ISDN BRI local exchange on the subscriber line bypassing a PBX (**switch**). ISDN BRI Local exchange includes a **router** (see col. 50, lines 38-40) for routing calls (see col. 19, lines <sup>61</sup>~~59~~ through col. 20, lines 1-41).

Dale fails to disclose an intercepting system, intercepting the data on the subscriber line.

However, Cofer discloses an automatic intercept system 25 (AIS) at the originating end, figures 4a and 4b, connected by a subscriber loop 15 (**subscriber line**) to subscriber telephone 11(see col. 7, lines 13-31).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to have modified the system disclosed by Dale, by incorporating the

automatic intercept system of Cofer that is capable of intercepting call at the subscriber end and sending data to a router at a local exchange bypassing a switch.

**Claims 33-36**, as discussed in claims 32 and 38 above, Cofer discloses AIS intercepting the data at the subscriber loop ahead of switch [claim 33], switching network [claim 34] and switching interface modules [claim 35] (switch 10 and 20, figure 4a and 4b).

As stated in claim 32 above, Cofer discloses that automatic intercepting system is placed ahead of **remote line termination unit** (see switching office 20, item 39), in figure 4b, in communication with the originating office 10 and to telephone 11 (see col. 7, lines 13-33, figure 4a).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to have utilized the AIS arrangement capable of intercepting calls at the subscriber line ahead of switching module in the *bypass circuit disclosed by Dale* (see figure 13) so that data can be delivered directly to a remote local exchange ( to a router, as discussed above).

**Claims 37 and 39**, Dale discloses various terminal end point **identifier** (TE1) *logical terminate* **assignments** associated with a D channel in an ISDN local exchange switch (see col. 38, lines 5-11, 20-31, figure 31) and **associating** (see col. 38, lines 5-11, 20-31, figure 31) with the analog lines 1 and 2 (subscriber line).

***Response to Arguments***

5. Applicant's arguments filed October 12, 2001 have been fully considered but they are not persuasive.

Applicant argued that AIS system disclosed by Cofer is different. It concerns calls that cannot be completed. However, as discussed during the phone conversation as well, the examiner cited an interception system, disclosed by Cofer, that could be incorporated into the invention by Dale at a point where a detector detects whether the port connected to the local exchange is connected to an ISDN network or to a conventional network and routing data directly if the system detects that it is connected to a conventional analog network (see Abstract and col. 45, lines 37-48). The motivation here is to provide a cost effective system whereby a call is intercepted and routed directly to its destination depending on the port connection.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Afsar M Qureshi whose telephone number is (703) 308 8542. The examiner can normally be reached on Compressed (9 Hrs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (703) 305 4744. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308 6306 for regular communications and (703) 872 9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305 4700.

*A. Q.*

Afsar M Qureshi  
Examiner  
Art Unit 2662

November 20, 2001

*Alpus H. Hsu*

ALPUS H. HSU  
PRIMARY EXAMINER